



September 14, 1999

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Licensing Assistant Section
Nuclear Materials Safety Branch
U.S. Nuclear Regulatory Commission, Region 1
475 Allendale Road
King of Prussia, PA 19406-1415

LL 30535
030- 35224
03121

RE: APPLICATION FOR MATERIAL LICENSE
PORTABLE SEALED SOURCE DEVICES

Dear NRC Agent:

Attached please find two (2) copies of an Application for Material License for portable sealed source devices (Troxler density gauges). Also attached is check number 1371 in the amount of \$1,300.00 for the application fee.

If possible, please expedite the application review process. If you have any questions regarding the application please don't hesitate to contact me. Thank you.

Very truly yours,

Sean C. Isgan, PE, PLS
President

Troxler Gauge/NRC corr/NRC001SI
cc: NRC file

OFFICIAL RECORD COPY ML 10

Civil Mining Environmental Engineering, Inc.
821 West Main Street, Somerset, PA 15501

1 2 7 2 8 4
SEP 16 1999

(5-1997)
10 CFR 30, 32, 33
34, 35, 36, 39 and 40

APPLICATION FOR MATERIAL LICENSE

Estimated burden per response to comply with this information collection request: 7 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Forward comments regarding burden estimate to the Information and Records Management Branch (T-6 F33), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and to the Paperwork Reduction Project (3150-0120), Office of Management and Budget, Washington, DC 20503. NRC may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a currently valid OMB control number.

INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
U.S. NUCLEAR REGULATORY COMMISSION
WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, MAINE, MARYLAND,
MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, PENNSYLVANIA,
RHODE ISLAND, OR VERMONT, SEND APPLICATIONS TO:

LICENSING ASSISTANT SECTION
NUCLEAR MATERIALS SAFETY BRANCH
U.S. NUCLEAR REGULATORY COMMISSION, REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, MISSISSIPPI, NORTH CAROLINA, PUERTO
RICO, SOUTH CAROLINA, TENNESSEE, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,
SEND APPLICATIONS TO:

ATLANTA FEDERAL CENTER
U. S. NUCLEAR REGULATORY COMMISSION, REGION II
61 FORSYTH STREET, S.W., SUITE 23785
ATLANTA, GEORGIA 30303-3415

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN,
SEND APPLICATIONS TO:

MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION III
801 WARRENVILLE RD.
LISLE, IL 60532-4351

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS,
LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA,
OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH,
WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING SECTION
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TX 76011-8064

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

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☐

A. NEW LICENSE

B. AMENDMENT TO LICENSE NUMBER _____

C. RENEWAL OF LICENSE NUMBER _____

2. NAME AND MAILING ADDRESS OF APPLICANT (Include Zip code)

Civil Mining Environmental Eng. Inc
821 West Main Street
Somerset, PA 15501

3. ADDRESS(ES) WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

Stored, used, dispatched: CME Eng., Inc.
821 W. Main Street
*also used at temp. job site west, PA Somerset, PA 15501

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

Sean C. Isgan, President

TELEPHONE NUMBER

(814) 443-3344

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.

9. FACILITIES AND EQUIPMENT.

10. RADIATION SAFETY PROGRAM.

11. WASTE MANAGEMENT.

12. LICENSEE FEES (See 10 CFR 170 and Section 170.31)

FEE CATEGORY

3P

AMOUNT

ENCLOSED \$ 1,300.00

13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39 AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

Sean C. Isgan, President

SIGNATURE



DATE

9-14-99

FOR NRC USE ONLY

TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
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\$

APPROVED BY

DATE

127284

SEP 16 1999

APPLICATION FOR MATERIAL LICENSE (NRC Form 313)

Response to Item 5

5. **RADIOACTIVE MATERIAL:** Material contained in portable sealed source devices.
- a. **Element and Mass Number:** Cesium –137 9mCi
Americium – 241 44mCi
- b. **Chemical and/or physical form:** Sealed sources in compatible gauges as specified in Sealed Source and Device Registration Sheet (each element).
- c. **Maximum amount which will be possessed at any one time:** Not to exceed maximum activity per source as specified in Sealed Source and Device Registration Sheet.

**Radioactive Material – Financial Assurance
and Record Keeping for Decommissioning**

No response required.



APPLICATION FOR MATERIAL LICENSE (NRC Form 313)

Response to Item 6

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED:

The gauging device will be used for the purposes listed on the respective SSD Registration Sheets; specifically, to measure physical properties of materials.



APPLICATION FOR MATERIAL LICENSE (NRC Form 313)

Response to Item 7

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE:

CME will name two RSO's. This is done to ensure safe use and storage of the nuclear equipment in the event one of the RSO's is not in the office. The primary RSO will be Timothy W. Miller. The second RSO will be Sean C. Isgan, President of CME Engineering, Inc.

Both Mr. Miller and Mr. Isgan have successfully completed a training course and associated examination, which met the requirements of NUREG-1556, Vol. 1, Appendix C. Specifically, the section entitled "Individual(s) Responsible for Radiation Safety Program and their training and experience – Radiation Safety Officer." The course was taken and passed on August 27, 1999. The Instructor was Phillip C. Palilla, QIC Resources. Certificates demonstrating successful completion are attached.

Q/C RESOURCE

Training Course Certification

This is to certify that

Sean C. Isgan

***has successfully completed the user's course as required by the U.S. Nuclear
Regulatory Commission and the Agreement States, in the Fundamentals of
Safety and Gage operation, for the use of nuclear moisture/density equipment.***

The course covered:

Atomic Physics

Radiation Safety

Dose/Shielding Calculations

Accidents/Storage

Transportation

Risk

ALARA

Measurement Theory

Operation

Field Applications

Calibration

Maintenance

August 27, 1999

Date of Training

3868

Certificate Number

Philip C. Palilla

Instructor - Philip C. Palilla

Manufacturer's Rep

Q/C RESOURCE

Training Course Certification

This is to certify that

Timothy W. Miller

***has successfully completed the user's course as required by the U.S. Nuclear
Regulatory Commission and the Agreement States, in the Fundamentals of
Safety and Gage operation, for the use of nuclear moisture/density equipment.***

The course covered:

Atomic Physics

Radiation Safety

Dose/Shielding Calculations

Accidents/Storage

Transportation

Risk

ALARA

Measurement Theory

Operation

Field Applications

Calibration

Maintenance

August 27, 1999

Date of Training

3870

Certificate Number



Instructor - Philip C. Palilla

Manufacturer's Rep

APPLICATION FOR MATERIAL LICENSE (NRC Form 313)
Response to Item 8

**8. TRAINING FOR INDIVIDUALS WORKING ON OR FREQUENTING
RESTRICTED AREAS:**

Before using licensed materials, authorized users will have successfully completed one of the training courses described in Criteria in the section entitled "Training for Individuals Working In or Frequenting Restricted Areas" in NUREG-1556, Vol. 1, "Consolidated Guidance about Materials Licenses: Program – Specific Guidance about Portable Gauge Licenses" dated May 1997.

Q/C RESOURCE

Training Course Certification

This is to certify that

Erik D. Schafer

has successfully completed the user's course as required by the U.S. Nuclear Regulatory Commission and the Agreement States, in the Fundamentals of Safety and Gage operation, for the use of nuclear moisture/density equipment.

The course covered:

Atomic Physics

Radiation Safety

Dose/Shielding Calculations

Accidents/Storage

Transportation

Risk

ALARA

Measurement Theory

Operation

Field Applications

Calibration

Maintenance

August 27, 1999

Date of Training

3869

Certificate Number

Philip C. Palilla

Instructor - Philip C. Palilla

Manufacturer's Rep



APPLICATION FOR MATERIAL LICENSE (NRC Form 313)

Response to Item 9

9. FACILITIES AND EQUIPMENT

CME will ensure public safety and maintain appropriate security for the portable gauge in compliance with the issues covered under "Radiation Safety Program – Public Dose" and "Radiation Safety Program – Operating and Emergency Procedures."



APPLICATION FOR MATERIAL LICENSE (NRC Form 313)

Response to Item 10

(Page 1 of 2)

10. RADIATION SAFETY PROGRAM

Radiation Safety Program Audit Program

CME will maintain a Radiation Safety Program in accordance with the appropriate NRC and DOT regulations, and the terms and conditions of the license.

CME will institute a safety program to ensure occupational doses and doses to the public are as low as reasonably achievable and CME will maintain records of audits and other reviews of program content for a period of 3 years.

Radiation Safety Program – Termination of Activities

NRC Form 314 will be submitted at the time the license expires or operations are ceased.

Radiation Safety Program – Instruments

CME will either possess and use, or have access to and use, a radiation survey meter that meets the Criteria in the section entitled "Radiation Safety Program – Instruments" in NUREG-1556, Vol. 1, "Consolidated Guidance about Portable Gauge Licenses," dated May 1997 in the event of an incident.

Radiation Safety Program – Material Receipt and Accountability

Physical inventories will be conducted at intervals not to exceed 6 months, to account for all sealed sources and devices received and possessed under the license.

Radiation Safety Program – Occupational Dosimeter

CME will maintain, for inspection by NRC, documentation demonstrating that unmonitored individuals are not likely to receive, in one year, a radiation dose in excess of the 10 percent of the allowable limits in 10 CFR Part 20 or we will provide dosimetry processed and evaluated by a NVLAP approved processor that is exchanged at a frequency recommended by the processor.



APPLICATION FOR MATERIAL LICENSE (NRC Form 313)

Response to Item 10

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Radiation Safety Program – Public Dose

CME will use, transport and store gauges in such a way that members of the public will not receive more than 1 millisievert (1 mSv) [100 millirem (100 mrem)] in one year, and the dose in any unrestricted area will not exceed 0.02 millisievert (mSv) [2mrem (millirem)] in any one hour, from licensed operations.

CME will control and maintain constant surveillance over gauges that are not in storage and secure stored gauges from unauthorized removal or use.

Radiation Safety Program – Operating and Emergency Procedures

CME will implement and maintain the operating and emergency procedures in Appendix H of NUREG-1556, Vol. 1, "Consolidated Guidance about Materials Licenses: Program Specific Guidance about Portable Gauge Licenses", dated May 1997 and provide copies of these procedures to all gauge users and at each job site.

Radiation Safety Program – Leak Tests

Leak tests will be performed at intervals approved by the NRC or an agreement State and specified in the Sealed Source and Device Registration Sheet. Leak tests will be performed by an organization authorized by NRC or an Agreement State to provide leak testing services to other licenses or using a leak test kit supplied by an organization authorized by NRC or an Agreement State to provide leak test kits to other licenses and according to the kit supplier's instructions.

Radiation Safety Program – Maintenance

CME will implement and maintain procedures for routine maintenance of our gauges according to each manufacturer's recommendations and instructions.

Radiation Safety Program – Transportation

CME will develop, implement and maintain safety programs for public transport of radioactive material to ensure compliance with DOT regulations.



APPLICATION FOR MATERIAL LICENSE (NRC Form 313)

Response to Item 11

11. WASTE MANAGEMENT

CME will dispose of licensed materials in accordance with NRC requirements by transfer to an authorized recipient. Appropriate records will be maintained.